

## REMARKS

### I. Status of the Claims

Prior to this amendment, claims 1-48 were pending. With the entry of this amendment, claims 1-26 will be canceled. Pending claims 27-32 and 41-47 will be withdrawn from consideration and pending claims 33-40 and 48 will remain under examination as originally filed. Accordingly, no new matter has been added. The pending claims read on the elected invention.

### II. Election and Traverse

The Examiner has required restriction under 35 U.S.C. §§ 121 and 372 between eight (8) groups of inventions, as shown in the table below. Office Action at pages 2-3.

Group	Claims	Description
I	1-4, 6-11, 13, 18, and 19	Method of producing a recombinant virus
II	5 and 12	Recombinant virus
III	14-17	Method for using the vaccine comprising infecting an organism and orally feeding the whole biomass of the infected organism to human or non-human animals
IV	20-26	Method for treating allergy comprising infecting an organism and orally feeding the whole biomass of the infected organism to human or non-human animals
V	27-32	Method of producing a recombinant virus-like particle
VI	33	Recombinant virus-like particle
VII	34-40 and 48	Genetic construct and a vaccine comprising at least one viral coat protein containing exogenous sequence for displayed peptides and proteins
VIII	41-47	Method of using the recombinant virus-like particle

The Applicant provisionally elects to prosecute the subject matter of **Group VII**, comprising claims 34-40 and 48 while traversing the restriction between Groups VI and VII. The Examiner characterizes the claims of Group VII as drawn to a genetic construct and a vaccine comprising at least one viral coat protein containing exogenous sequence for displayed peptides and proteins. Office Action at page 3. The scope of Group VII is greater than that defined by the Office, it also includes recombinant virus-like particles produced from the claimed genetic constructs, as recited in claim 40. Claim 40, if allowed, would require the rejoinder of groups VI and VII, thus links Groups VI and VII.

The Applicant thanks the Examiner for affirming that method claims 41 - 47, comprising Group VIII, will rejoined if the product claims are allowed. Office Action at pages 3-4. The Applicant respectfully requests the additional rejoinder of method claims 27-32, comprising Group V and directed to methods of producing a recombinant virus-like particle. The Applicant also reserves the right to file divisional applications on the non-elected inventions.

### **III. Conclusion**

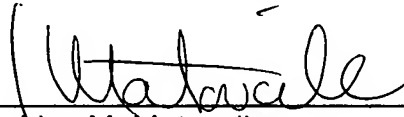
In view of the foregoing remarks, the Applicant respectfully requests the withdrawal of the restriction between Groups VI and VII and the examination of claims 33-40 and 48. Please also grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

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By: \_\_\_\_\_



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